

September 23, 2014

EPA Region 4 FOIA Officer
Submitted via foiaonline.regulations.gov

Dear FOIA Officer:

Please accept this request for information under the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”) and the U.S. Environmental Protection Agency’s (“EPA”) FOIA regulations at 40 C.F.R. Part 2. This request is seeking certain information from EPA Region 4 concerning EPA’s Management, Operations, and Maintenance Programs Project (“MOM Project”) as it relates to municipalities (*i.e.*, cities, towns, and/or counties) within Region 4’s territory that received a notification from EPA under the MOM Project from 2008 to present (hereinafter, the “Municipalities”). The specific types of information I am seeking is described in greater detail below.

Specifically, I am hereby seeking the any and all Region 4 records described as follows:

- EPA notifications to any Municipal entity identified under EPA’s MOM Project for Publicly Owned Treatment Works (“POTW”);
- Any responses received by EPA from the Municipalities including, but not limited to, information about self-audits, self-assessments, and Capacity Management Operations and Monitoring plans;
- Information concerning any compliance evaluation inspections performed by EPA or the applicable state agency for any of the Municipalities, including but not limited to the inspection documents themselves as well as any related correspondence and settlement documents;
- Information concerning attendance and materials presented or otherwise discussed at any meetings held by EPA and the applicable state agency regarding any Municipality participating in the MOM Project;
- Information concerning EPA’s determinations and selections of impaired watersheds in each state for purposes of Municipality participation in the MOM Project, including but not limited to any listing of impaired watersheds;
- Information concerning EPA’s listing of Municipalities within an impaired watershed that EPA invited to participate in the MOM Project, including information concerning those Municipalities that elected or declined to participate in the MOM Project;
- Copies of any Administrative Order on Consent, or similar order, issued since 2008 under the MOM Project; and
- Information concerning any long-term remedial measures implemented since 2008 under the MOM Project.

I believe the information requested above is not exempt from mandatory disclosure under FOIA. However, should EPA determine that any responsive records contain exempt information, I respectfully request that you provide any “reasonably segregable portion of [such] record” (*i.e.*, redacted copies), as required under FOIA, 5 U.S.C. § 552(b). Should EPA determine to withhold any responsive records or portions thereof, I further request that EPA provide a description of the withheld information along with the basis for withholding.

I am willing to pay the reasonable costs associated with this request up to \$750 without further authorization. Please contact me immediately should the costs for responding to this request reach this amount in order to discuss further cost assurance.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Tal Simpson
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